

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

CATINA PARKER, as Personal Representative)	
of the Estate of Leonard Parker, Jr., deceased,)	
)	
Plaintiff,)	
)	
v.)	No. 1:21-cv-217HSO-RWHR
)	
The CITY OF GULFPORT, a municipal)	
corporation; JASON CUEVAS, in his individual)	
and official capacity; and JOHN DOE OFFICERS)	
#1-5 in their individual and official capacities,)	
)	
Defendants.)	

**PLAINTIFF’S MOTION TO CONDUCT LIMITED DISCOVERY AND FOR
FURTHER RELIEF**

COMES NOW the Plaintiff, CATINA PARKER, as Personal Representative of the Estate of Leonard Parker, Jr. deceased, by and through his counsel of record, Coxwell & Associates and Romanucci & Blandin, LLC, and submits her Motion to Conduct Limited Discovery on matters bearing on Defendant Jason Cuevas’s asserted defense of qualified immunity. In support thereof, Plaintiff states as follows:

1. Defendant Jason Cuevas has filed a motion for leave to assert qualified immunity in response to Plaintiff’s Second Amended Complaint at Law, asserting Cuevas’s entitlement to qualified immunity and seeking a partial stay in discovery after “the allowance of discovery limited to [Defendant’s entitlement to qualified immunity].” ECF Doc. 34.

2. Plaintiff’s Second Amended Complaint sufficiently pleads facts to support a §1983 claim against Defendant Cuevas; Plaintiff is therefore entitled to

conduct limited discovery on the issue of Defendant Cuevas's qualified immunity defense.

3. Plaintiff respectfully submits that this Court must conduct a fact-based inquiry to determine whether Defendant Cuevas's actions were, in fact, objectively reasonable in the light of the circumstances confronting him.

4. Plaintiff further respectfully requests that she be permitted to amend her pleadings following such discovery in order to conform them to the relevant information gleaned through discovery.

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests that this Honorable Court allow Plaintiff's qualified immunity-related discovery and enter an Order setting deadline for the completion of such discovery and amendment of the Complaint.

RESPECTFULLY SUBMITTED this 3rd day of May, 2022.

CATINA PARKER, PLAINTIFF

s/ Nicolette A. Ward

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CERTIFICATE OF SERVICE

I hereby certify that on May 3, 2022, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

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